



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT APPLICATION EXAMINING OPERATIONS

Appl. No.: 10/706,898 Confirmation No.: 7752  
Applicants : Gregory J. Saxton et al.  
Filed : November 13, 2003 TC/AU: 3617  
Docket No.: DBH:0560.074-006 Examiner: Frantz Jules  
Customer No.: 00152  
Title: CENTRAL BEAM CAR WITH DEPRESSED CARGO-CARRYING  
AREA

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22303-1450

Dear Sir:

Gunderson, Inc., an Oregon corporation, having a place of business and post office address at 4350 NE Front Avenue, Portland, Oregon 97200, represents that it is the assignee and owner of the entire interest in the above-identified U.S. patent application, and of the entire interest in U.S. Patent No. 6,647,895 of which said application is a continuation, by virtue of an Assignment of the entire interest in said application and in said patent, which was recorded November 13, 2003, at Reel 014700, Frame 0382, of the records of Assignments of patents. Gunderson, Inc., hereby disclaims, except as provided below, the terminal part of the term of any patent

granted on the above-identified application Serial No. 10/706,898 which would extend beyond the expiration date of the full statutory term defined in 35 USC §§154 to 156 and 173 of said U.S. Patent No 6,647,895, and hereby agrees that any patent so granted on the above-identified pending application Serial No. 10/706,898 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to said U.S. Patent No 6,647,895, this agreement to run with any patent granted on the above-identified pending application Serial No. 10/706,898 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application Serial No. 10/706,898 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of said U.S. Patent No. 6,647,895, in the event that any of said U.S. Patent No. 6,647,895 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed this 16 day of July, 2004, at Portland,  
Oregon.

GUNDERSON, INC.

By Gary S. Kaleta  
Gary S. Kaleta  
Senior Vice President,

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on JULY 19, 2004.

Dated: July 19 2004

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